G. R. S. IX-5]

Previous references.

1896-97
~~191~~ ?
(L-R)

File No. 73

Serial Nos. 6

Later references.

GENERAL AND REVENUE SECRETARIAT.

Serial Nos. 1–6

Inspr's ~~Part~~ **Part B for** September 96

SUBJECT.

Refund of sale proceeds of certain Stamp Logi Service Stamp Card in the Chittagong District.

Inserted By.

Countermarked By.

W D 89—GPB—50,000—24-7-16

Revenue.

Office Note for Orders

Subject: Refund of the Sale proceeds of certain Shanbog Service Inam land in the Muddapalli village, Chintamani Taluk.

References:- Kolar Dy Commr docket No 253/64 & 13 July 1896

Survey Nos 98 and 117 of Muddalapalli village in the Chintamani Taluk were Shanbogi Service Inam lands in the enjoyment of Shanbogue Narnappa of that village. In the year Sarvadhari (1888-89) Narnappa resigned these 2 numbers, ~~the Inam Commissioner~~ ~~of the area to which they~~ thus they were continued to be shown as Service Inam. In the year Vijaya (1893-94) the Patéla

Please see paper No 18 in the ver: file -

Potéla

had resigned the Service lands without the knowledge & consent of the other members of the family who were also, Hissidars of the land, that the lands should be continued as Service Inam or granted to him (Lakshminarasappa) on Kandayem in consideration of his title to the lands. Even before the Sale actually took place, Lakshminarasappa brought the Same Zakrar and requested that the land might be continued to him as Kandayem land from the year Jaya —

Paper No. 8

In Submitting the Sale records for the orders of the Govt Asstt Commr, the Amildar reported that Lakshminarasappa's complaint was not reasonable as, after the Pukka Potey Settlement, the lands had gone

Paper No 14

Circle-Inam No Asstt

Commr confirmed the Sale,
holding that it was unlikely
that Lakshminarasappa
was not aware of the fact
of Narnappa having resigned
the land, when all the brothers
& their father were members
of an undivided family
& lived in the same house
& that he should have
then & there objected to the
Rajinama, instead of keeping
quiet for 6 years. Thereupon
Lakshminarasappa pre-
ferred an appeal† to the
Dy Commr, who cancelled
the Sale on the ground
that the other Shareholders
should have been Consulted
before accepting the Rajinama
& Selling the land which
was a Service Inam. He
~~Submitted a bill for the refund~~
~~of the foreclosure money~~ &
further directed that

Please See paper
No. 14/4

† Petn of 11.1.95
in blue paper -

Please Order No
of 7.3.95 -

Potgi payable to the Shanbogue was Settled, and the Shanbogue having declined to retain the lands, they were Struck off the Inam Register.

2. In July 1894, one Nallapareddi applied for the aforesaid lands. When the application was referred to the Sheristar for report, a complaint was received from Kogyaram Ramaswamaiya & Seshamaiya as regards Survey No. 117, and the Sheristar reported that there was no Kātira abut Sur: No 98. This Land was, after due proclamation, put up to auction on the 16th Octr 1894 & Knocked down to the highest bidder Nallapareddi for Rs 39, although a complaint petition had been received in the Taluk Cutcherry on the 9th Octr 1894 from Lakshminaraccapa (Brother of Ramaffa) to the effect that Ramaffa

Paper No. 1.

⊗ Note
The nature of the complaint has been explained in a Separate para further on, so the same does not now require the orders of Govt.

Paper No. 11.

Paper No. 9

5

the Local cess payable by
the Shanbogue from the
date of the resignation &
the land to the date of
the Sukka Fasli Settlement,
& the Kandayam due for
the years subsequent from
the year Vijaya be collected
from Lakshminarasappa.
The Amildar reports that
Rs. 5/12/6 being the Local cess
due for 5 years from the
year Sarvadhari to Nanda-
-na on the assessment of
the two lands (Nos 93 & 117),
Rs 37 being the Kandayam
on the two lands for the
2 years Vijaya & Jaya &
Rs. 2/5/- being the Local cess
thereon have been paid
by Lakshminarasappa.
The Dy Commr submits
a bill for the refund of the
purchase money of Sur. No
98, which is recommended for sanction in his letter
3. The Dy Commr in

× No 437 of 26.3.95

For orders —

Says that the land re-
linquished under the
above rule should form
no part of the remunera-
of the officiator who is to
be paid wholly in Cash
but should remain in
the possession of the Sharers.
Under these rules, Lakshmi
-narasappa has a right
to have the land (No 98)
for himself on payment
of the Kandayam. The
Sale of it was ~~accordingly~~
irregular, when he had
petitioned the Amildar
prior to the date of the Sale.
Lakshminarasappa has
now paid 2 years' Kandayam
on this land and also
Swr No 117 regarding
which there is a Lakhar,
the nature of which
is explained below,

although

the Dy Commr has not
said anything about it (Survey No 117)
in his docket under
reference. He himself
has not passed any
final order in the matter.

Nature of the Takrar :-

Boggaram Ramaswamaiya
and Sitaramaiya brought
to the notice of the Amildar Papers nos 2 & 3
that Sur: No 117 was in their
enjoyment as mortgagees
having been mortgaged
to their grand father
Dasappa 70 years ago
by the then Shanbogue
Appaiya for about 35 Pagodas,
that according to the
mortgage deed, Narnappa
was paying the local cess
and that in spite of their
long enjoyment, he re-
signed the land purposely
to deprive them of it. They
further requested that the land

his order to the Amildar
alludes to a circular
order as an authority under
which the Jack of a Shan-
-bogue having tendered a resignation of
his Service Inam Land should
be intimated to other those
-dars before accepting it
the resignation. Whether
the order is one issued by
Govt or by the Commr
himself is not clear, as
the no date of it is not
given. However, Rule XXVII
of the Patgi Rules gives
power to a village here-
-ditary officer to relinquish
his official land at or
subsequent to the intro-
-duction of the Ryotwa-
-ri Settlement, which
should immediately after
relinquishment be entered
in the Govt accounts as
in the Govt land. Rule XXVIII

Please see Extract
further -

* Shanbogue

might be confirmed to them on payment of the Kandayem fixed thereon. When Namaffa was asked about this, he stated × that he was ignorant of the fact that the land had been mortgaged, that he himself cultivated the lands in the years Sowbhanu & Parthiva & took the produce & that there were no witnesses to support this fact. Appaiya the father of Namaffa stated × that from the time of his father up to the year Vishu when he (Appaiya) retired from the appointment the Inam land was in his enjoyment, that even in the years Vishu & Chitrabhanu, in which one Shanbogue Somaeta Ramaiya did

× Papers Nos. 5 & 6.

× Please see Letter part of Papers No. 5

they should have brought this Cakras immediately after the Rajinama was received, & that it was therefo evident that the land was not in their enjoyment before the resignation was tendered by Narsappa, and directed the Sale of the land according to Rule The land was accordingly put up to auction & pur- chased for Rs. 116 by one Bobil Venkatramareddi. Sitara- maiya & Ramaswamaiya have preferred an appeal to the Dy Commr. and he has reserved his final orders on it. ~~The question~~ ~~does not arise~~ ~~Nis calls~~ for no orders.

Submitted for orders

12/9/96

12/9/96

did the duties of the office,
the land was cultivated
& half the produce was given
to him. Sitaramaiya said
that the land was under
cultivation for some years
and afterwards he could
not get ryots to cultivate
it owing to the ryots having
been instigated by Varnaffa
& therefore the land was used
for storing hay. Nallapa-
reddi, the dunkhastdar,
stated that the land had × Paper no. 7
been in the enjoy-
ment of Ramaswamaiya
& Sitaramaiya for a long
time & that he also culti-
vated it for them for 5 or 6
years. The matter was
reported to the Genl. Asstt
Commr for orders. He ob-
served that it was more
than 70 years since the
mortgage deed was executed, Paper no. 14/4
that if the land was really
in the enjoyment of the mortgee

Enclosure.

Received this 20th day of August 1901 from the Commissioner of the Kaiser Road.

Note.

1. Appears from the records that a tank in the Kuntarakuli village, Salem Taluk was constructed some 20 or 30 years back by Sugga & Ranjandappa ~~[illegible]~~ They planted and brought up ~~[illegible]~~ Mango trees on its bund and enjoyed their produce for the last 20 years. —

The above statements (Corroborated by the Irrigation Subordinate — Mahagiri.)

2. In the year Jaya the Amildar granted three trees also in the village Conroy Taluk and ~~[illegible]~~ made the Patta — Lay readers themselves ~~[illegible]~~ produce for Rs 21-4-0. Three trees had not been included in

been plained by them (the Bathlagavaddars) the produce thereof should vest ~~in them~~ in them and that a refund bill should be submitted in their favor for the money paid by them on account of the produce of the Stonge trees purchased by them in Jaya — On submission of the Bill by the aforesaid the Dy Commissioner submitted, the same with records for Government sanction — & he was asked to give the no + date of the Govt Proc preferred to by the Amildar in his report in which he stated, that the produce of the trees standing on the bunds of Kodagi tanks were brought under Batayi &c. In reply, the Dy Comr states that the Govt orders on the point are contained in Dewan's reply on Subject No 165 discussed at the meeting of the Representa-

[redacted] my pul up —

Assembly of 1890 -

Hence the submission of the present Refund bill for Rs 21-4-. in favor of Surappa & Co.

~~Recommended for orders~~

The Devan's reply to Subject No 165 of 1890 apparently alludes to ~~the~~ trees on bunds of such of the Kodiji and Private tanks as are reserved and maintained by Government In this view, a draft order sanctioning the refund is submitted for approval or other orders.

26/9/96 25/9/96

Submitted to Secy Govt 30/9/96

Submitted to 2nd Cr.

If the Devan's reply has been correctly reported the proposed refund seems unobjectionable - before passing final orders, the practice prevailing all over the Province may be ascertained

3-10-96

If the land is abandoned or maintained by its owners who are not the ryots of the village the Head of the village should be consulted and his opinion given in writing before the refund is granted

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3-10-96

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in the Armory Sale in former years.

3. The Petitioners petitioned the Court requesting him to make orders confirming their claim to the Easements in question.

4. The Auditor in his finding, to the by Court, that three trees were included in the Armory Sale under the orders contained in the Proceedings in regard to Easements on the lands of Lodge Lands, recommended that as the trees in question were planted by the Lessees, were referring the Court finding all the lands in the Actual ~~Easements~~ ~~Lands~~, they should have their claim to the trees in question & of their produce.

* Vide Judgment No 15 of 1890 Extract, Intd.

5. The Ag Commissioners ordered that of the trees that have been

Extract of the Patgi Rules.

Rule XXVII. Nothing contained in any of the preceding rules shall be considered as debarring any village hereditary officer from relinquishing his official land when so disposed; and every such officer shall, at any time, whether at or subsequent to the introduction of the Settlement prescribed in these rules, be permitted to relinquish by written Rajinama any entire field or fields into which official land may have been marked off by the Survey, and on so doing, the relinquished field is immediately to be entered in the accounts as Govt land & the jodi tax payable by the hereditary officer is to be reduced by the full amount of the Survey assessment of the relinquished fields.

Rule XXVIII. The official land under the Settlement prescribed in the foregoing

rule

ale will form no part of the remuneration of the
officiator, who is to be paid wholly
in cash, & the land will therefore remain
in the possession of the Sharers who
may at present hold it.

Extract from Proceedings of the Revenue Board Meeting held at Negapatam on 18th October 1899.

Subject No. 52. Honge leaves for manure.

Summary of discussion. — An interest enjoyed by the raiyat of using leaves of honge trees on Government unoccupied land as manure for their wet dry fields should be restricted to them. Section 24, clause 3 of the Forest Act of 1878, under which a raiyat can take branches and leaves of unreserved trees in District Forests for manure and litter is not sufficient, as the produce of honge tree is sold by Government by public auction and the Contractor objects to leaves and branches being cut in the Madanapalli Taluk (Her Majesty's Territory) a raiyat is allowed 5 lbs or leaves at Rs. 1-12-0 per 100 trees. A similar arrangement is required for the Porur District. A similar system existed of old in the Chintamani, Bagepalli and Sidlaghatta Taluks under the name of "Hidue Kandayam".

Revenue reply. — The subject is under consideration. An arrangement somewhat on the following lines will be ordered: —

(1) Village-wise allotment at the rate of Rs. 1-12-0 for 100 trees to be made.

(2) a lease for 5 years to be granted to —

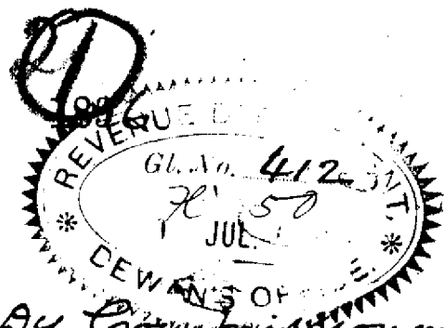
Rev.
16.7.96

NW
21067

itted with draft

196

Gen. 31.]



From The Dy. Commissioner Kolar District

To The Secretary to the Government Rev and Genl. Depts.

Dated 13th July 1896

Despatched 14th -

Received

General No. 253

No. 64

Enclosure No. 1 Petition

In submitting herewith for sanction a refund bill for Rs 41-7-0, has the honor to state that Shanbhog Narayappa relinquished his Service Inam lands (Survey Nos 98 & 117) attached to Mudlapalli village Chintamani Taluk and the same were resumed to Government in Vijaya (1893-94). one of these lands (Survey No 98) was subsequently sold by Public auction to one Nallapareddi for Rs 41-7-

(including local cess) in October
1894. But on the complaint
of one Lakshminarasappa, the
brother and Hissedar of the
said Narasappa to the effect
that the Inam Lands in ques-
tion had been relinquished
and resumed without his con-
sent, the sale which had been
confirmed by the General
Asstt Commissioner was can-
celled by this office and the pur-
chase money ordered to be re-
funded to the auction pur-
chaser.

The Vernacular correspondence
bearing on the subject is herein
enclosed for reference and
obliging return when no
longer required.

for Deputy Commissioner
Kolar District.

rights as to the partial assignment of the
Villagaran allotment to be duly recorded
and registered to prevent further disputes
(3) By the time these leases expire, the
Caiyata may well raise plantations of
their own. (See also subjects Nos. 39, 40
and 165.)

---

compld
YSR

Extract from "Proceedings of the Assembly of the Representative Natives and Headmen from all Tribes held at Bayeux in October 1930."

Subject No 165.

Right to forage, &c, trees grown at private cost on Kodagi tenure lands and in private topes.

Summary of discussion - Right in forage and other trees grown at private cost on lands of Kodagi and private enterprise tenure should rest in the grower, as also that of trees in private topes.

Government reply - The right to trees on lands should go to Government with the lands themselves. But privilege to take forage leaves from such trees can be conceded on the same terms as in the case of forage trees on other Government lands as to which, vide reply already given (Subject No 152 supra). The right to trees in private topes is not disturbed but rests in the owners, if any be forthcoming, of those topes.

Compd
HHL.

Rejected - 10 765 of 15

Gen. 31]

REVENUE DEPARTMENT
No. 510
760
26 JUL. 96
LANDS OFFICE
189

From The District Commissioner
Eastern District

To The Secretary to the Commissioner
of Crown Revenue and Controller
of Expenditure.

Dated 16th July, 1896.

Despatched 17th July, 1896.

Received

General No. 311
No. 20876

Enclosure No. 1 in file

With reference to the
herewith forwarded a sketch
plan of the land
[illegible] the sale
proceeds of the premises [illegible]
the Crown, in the event of
private sale effected between
[illegible] Chinese Cadet.

The Chinese having since
been placed in the possession
of Occupation and another, the
owner of the land, the contract
cancelled and the amount paid
to the applicant will be, then
being the highest bidder at
the sale.

2. The Government paper

Received with draft
20/7/96

Submitted with draft
WB
30/7/96

hearing in the district the re-
-ir ordered for, reference and
obtaining other evidence as Magis-
trate required.

S. Smith
Deputy Commissioner
Akola District.

Dated

Draft for 44 C

I. 8C (3)

The Deputy Commissioner.
Kisar District.

Dated 3-8-96
No. 1247. 141 file.
M. 95

His letter No. 2" dated 76
5th July 96, submitting for
sanction a refund bill
for Rs 2-4-0, in favour of
Sonaffia and another
owners of the private land
called Kintanainki in the
Marlun Taluk.

In returning the enclosures
received with the above, I
have the honour to request the Deputy
Commr, will be good enough
to ascertain & furnish this
office with the number
and date of the former
Annual Proceedings
under which the Amilian

in his report No 9 + 3 dated

29/4 June 1896, undertaken

he states ~~that~~ the ~~boundary~~ trees standing on the

bounds of Kodigi Taylor ~~were~~ being brought under Satara.

By Order

KM 31/7/96

Secretary

30/7/96 30/7/96

Gl Records.

Pierce, subject matter of Darrang Reg. el No. 65 of 1890.

2118.

Rl. Subsidy Schemes

Gen. 31

Please return the above copy of Circular-
Copies may be taken from the Dalbara
Proceedings Book if so much so
Rl. Subsidy matter this Pierce
26/8/90 return the same -

Pur Dept

17.8.96

Rl. Subsidy Schemes

26/8

Rl. matter Pierce note & draft

Rl

26 Aug 96

REVENUE DEPARTMENT
Gl. No. 1314
No. 144
17 AUG 96
139
DEWAN'S OFFICE

From The Deputy Commissioner
Naga District.

To The Secretary to the Govern-
-ment of Assam, Revenue and
General Department.

Dated Nowgong the 14th August 96.

Despatched 15th August 96.

Received 17

General No. 805
No. 190

Enclosure No. Piece 21

I have the honour to submit
herewith, for the information
and orders of Government, a
petition dated the 14th Septr
1895, received on the 15th
instant, from one Pierce, Assis-
-tant in the Mahur Circle, for-
-warded with the remarks and
date of the Government Recording
Officer in the Margin of the
petition of the said petitioner
dated the 14th June
1895, received on the 15th
instant, from one Pierce, Assis-
-tant in the Mahur Circle, for-
-warded with the remarks and
date of the Government Recording
Officer in the Margin of the
petition of the said petitioner
dated the 14th June

Draft for A/C

(31)

Read—

Correspondence ending with docket No. 805/190 dated 14th August 1896 from the Deputy Commissioner of the Kolar District, submitting for sanction, a Refund Bill in favor of Sivappa and another, owners of a private tank called Koontanahalli in the Malur Taluk, for Rs. 21—4—: being the sale proceeds of the produce of the Honge trees standing on the bund of their private tank & sold as Govt. property, the sale having been subsequently set aside by the Dy Commissioner on the ground that the owners of the tank are entitled to the produce of the trees planted by them.

Order thereon No. 3765-66 of 5-10-96 7.C 29-7 Govt. V.P.

Under the circumstan

9

stated by the Dy Commr, (32)
the refund Bills for Rs 21-4-
is sanctioned & forwarded
to the Comptroller for audit,
with the remark that the
produce referred to should
not have been sold and
the proceeds credited to Govt
without a full enquiry as to
the ownership thereof. It is understood that the
matter is being maintained
by the Srivaikuntam
and that they may
this effect that
under the Land

5/10

Secretary.

30/9

26/9/96 28/9/96

4/10/96

To the Dy Commissioner Kolar &c
returning the papers.
Comptroller to note the Bills.

5/10/96

5/10

Levuka, Fiji.

Sir,

I have the honor to acknowledge the receipt of your letter of the 3rd inst. stating that the Government of this Island will be represented at the meeting of the Representative Assembly, 1875.

I have the honor to be,

Sir,

Your most obedient,

humble servant,

[illegible]

Acting Commissioner.

Draft for A.G.

8

Read—

Correspondence ending
with docket No. 835/190 dated
14th August 1896 from the
Deputy Commissioner of the
Kolar District, submitting
for sanction, a Refund
Bill in favour of Lingappa
and another, owners of
a private tank called
Kontanahalli in the Malur
Taluk, for Rs. 21-4-3; being
the sale proceeds of the produce
of the Honge trees standing
on the bund of the private
tank & sold as such property,
the sale having been sub-
sequently set aside by the
Dy. Commissioner on the
ground that the owners
of the tank are entitled
to the produce of the trees
planted by them.

Order thereon No. 3-65-6 dated 7-5-96
7.2.294 Sent to
Under the circumstances

S/10/96

Stated to Captain Dy Commr,
the signed Bill for Rs 21-4-0
is sanctioned & forwarded
to the Comptroller for audit,
with the remark that the
produce referred to thereof
not have been sold and
the proceeds credited to Govt
without a full enquiry as to
the ownership thereof.

It is understood that the
Court is maintained
by the Zemindar
and that they own
the adjacent lands
under the tank

30/9

Secretary.

5/10

26/9/96

28/9/96

4/10/96

Do The Dy Commissioner Kolar &
returning papers.
Comptroller vide the Bill.